

A
WORD
TO THE *James II., King of Great
K. Brit. & France*
WAVERING:
OR AN
ANSWER
TO THE
ENQUIRY
INTO THE
Present State of Affairs:

Whether we owe Allegiance to the KING in
these Circumstances? &c.

*With a Postscript of Subjection to the Higher
Powers; by Dr. G. B——*

L O N D O N,
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A

W O R D

T O T H E

Wavering, &c.

'Tis said, (Page 3.) — *Wheresoever Protection fails wholly, Allegiance falls with it.*

THE whole Nation almost did not think so when they own'd King *Charles* the Second in his Exile, when his Protection failed them; and yet they, very Durisfully and Religiously, as well as Loyally and Unanimously, brought him in in 1660. and did what they could possibly for him by their Pens, and Purfes, in his Absence.

And the whole People of *Israel* and *Judab*, did not think their Allegiance cancell'd, because King *David's* Protection over them was disabled, but strove who should be the forwardest to bring him back, 2 *Sam.* 19. 42. And all the men of *Judab* answered the men of *Israel*, Because the King is near of kin to us: wherefore then be you angry for this matter? have we eaten at all of the King's cost? or hath he given us any gift? (nay, to accommodate the Case to the Objection, — Was he so much

as able to protect us?) yet the men of Israel answered the men of Judah (VER. 43.) *We have ten parts in the King, and we have also more right in David than ye: why then did ye despise us, that our advice should not be first had in bringing back our King?* What more evident, then that their Allegiance did not fall with David's ability to protect them, seeing they profess no Self-interest in the case, no Gift, &c. but only the Allegation of Birth, Family, and Kindred, or the like.

Again, (Pag. 3.) — *Service and Obedience are without doubt absolved, when a Father ceases to be a Father, by becoming an Enemy.*

That the Father of our Country is not become an Enemy, shall be made out hereafter— But if a Father, or a Prince, becomes an Enemy, yet Service, and Obedience, are still due to them; in as much as the Vices of the Fathers cannot affect the Duty of the Children. *Cham* got a Curse for discovering his Father's Nakedness, while *Shem* and *Japheth* got a Blessing by covering it. Why should *Cham* be cursed, if *Noah's* Drunkenness had cancell'd his Son's Respect and Duty? And, I believe, his Majesty's Children abhor the thoughts of but supposing their Duty to their Natural Parent and Sovereign at present waved, or extinguished; lest upon the breach of the Fifth Commandment, of not honouring their Father, &c. their days should not be long in the Land; besides the Considerations of Eternity.

(Pag. 4.) *The first 7 Verses of the 13th. Chapter to the Romans are set down; in which the Duty of the Magistrate, as well as the Obedience of the Subject, are set forth, and so mixt together, as that our Author thence concludes—upon the total failing of the one, the other does likewise cease.*

But first, does this hold on both Sides? Then, if Rebels and Traytors have totally failed their Duty of Allegiance, the Magistrate is not to do his; nor to try, judg, nor condemn, nor see them executed. Is that it, which you would be at? Why then do you blame the King for going away, from that his Duty? But thus

thus much only to shew the Weakness of your Reasoning. As to the Text, St. Paul meant it primarily, and literally, of *Nero*, the worst of Men and Princes; who was so very far from doing his Duty, or protecting our Religion, that he was a grievous Tyrant, and a mighty Terror to good Works; and yet the Apostle commands all, without exception, to be subject to him, not because he was a good Governour (for that he was not) but because he was one of the Higher Powers; and because he had received that Power, not from any mutual Compact of the People, but only from God, whose Vicegerent he was (though never so bad;) since there is no Argument ever yet able to shake that Assertion, *That there is no Power but of God, and the Powers that be are ordained of him*: Whosoever therefore resisteth (not the Vice and Wickedness of the Man, but) the Power and Ordinance of God, lodged in that Man, shall receive to themselves Damnation; from which, good Lord, deliver us all.

As *Nero* was the worst, so *Saul* was none of the best of Princes; and yet *David* files him, 1 Sam. 24. 8. *My Lord the King*; and owns him his Sovereign, because he was the Lord's Anointed, Ver. 10. and this not out of Flattery and Courtship, but Loyalty and Duty; for he had been far from a Saint after God's own Heart, if (even upon any Occasion) he had let himself loose to speak evil of Dignities.

To *Nero*, and *Saul*, I will add a third; and that is *Pilate*, whose Power *Christ* owned to have been from above, *Joh. 19. 11.* and therefore submitted to it even to the Death, though there was no Law of the *Romans* by which he could be put to Death, *Joh. 18. 31, 38.* and when he suffered, he threatned not, but committed himself (not to Arms and Revenge) but to him that judgeth Righteously, thereby leaving us an Example that we should follow his steps: And accordingly all the primitive and succeeding Christians fought the Battles of all their Pagan Emperors and Tyranical Persecutors, without Resistance, or ever aiding the Armies of the Rebels. *Tertullian* glories, that when *Postumus Niger* in *Syria*, and *Clodius Albinus* in *France* and *Britany*, rebelled against *Septimius Severus*, that bloody and cruel Emperor, and pretended Piety, and pub-

lick Good, yet that none of the Christians joyned with either.

And the noble *Theban Legion*, in the *18. of Dioclesian*, are most eminently Famous for laying down 6666 Lives at the command of the Emperor *Maximinian*, when they could easily have saved them; if they could have imagined, that the Protection of the Magistrate failing, it was Lawful for the Subject to withdraw his Obedience. This is visible throughout all Ages and Places of the Christian Church, and has been ever most eminently the constant Doctrine and Practice of this Church of *England*, in her Articles, Constitutions, and Behaviours; however some that have been willing to rejoyce in Iniquity have imagined some Occasion of triumph, in Respect of some Persons, and Things, which perhaps they do not fully understand: But there is too much behind.

(Pag. 4.) The King's Zeal for his Religion never pushed him beyond the Measures of a pious and just Prince: If he attempted any thing that has appeared since Illegal, it was against his Will, having had the Judgment and Decision of all (or most of) the Judges, and many other Protestant Counsellors Learned in the Law, upon their Oaths, and Consciences, That what they put him upon, was so far from Subverting the Establishment of our Religion and Laws, that he thought he did no more than his Royal Predecessors had done; and particularly *Queen Elizabeth*, and *King James*, by their Legal, and Acknowledged Prerogative, which is Law, as well as those Privileges which concern the Subject, according to Statute, as well as Common, and Natural Law.

(Pag. 5.) Seeing you grant, That if the King, was in eminent Danger, he was then driven away: I shall only say, that as long as the King did rationally believe it, and all his Friends, you and I ought to believe it too, or at least acquiesce so far in it, as that his Majesty hath not thereby forfeited his Crown, and Right: It is more mannerly to suppress the diminishing Conditions of (what you call) a Treaty, than insist upon the hardness, or unacceptableness of any of them;

as for the Seals they may be brought again, by the same Hand that took them away, at a convenient Season.

(*Pag. 6.*) Allegiance stands in its full force, make you what Consequence you please; neither is it under any Suspension, for none but God can Suspend it, or Legally put the Regency into other Hands: Neither is there any Incapacity, by being Affected, and Culpable; for nothing is supposed to be Culpable in the Person of a Lawful King, in respect of his Subjects, who are no competent Judges of what are supposed his Faults.

(*Pag. 8.*) As for the terms of Security, the best way is to leave them to him, who is the only Ruler of Princes, *By whom alone Kings Reign, and Princes Decree Judgment*; and that without the expectation of Miracles, to preserve us under our again restored Sovereign; forasmuch as he sees those Rocks upon which he dash'd before, and doubtless will avoid them, as becomes so Great, so Wise, and so Experienced a Prince: Neither need we now fear any Jesuits in the Council, no, nor so much as any Papist in the Government; seeing they now expect and desire no more Privilege than they have in *Holland*, nor so much neither, unless the King and Parliament shall vouchsafe it them; no danger therefore of throwing our selves back into any miserable Condition upon the King's return.

(*Pag. 10.*) Oaths are binding, although those in behalf of whom they are taken do not perform their part. The breach of one Man's Duty, will not Legitimate an others.

The Matrimonial Oath is not absolutely made for term of Life, but God himself has put in an Exception in the case of Adultery, which he has not done in the case of Loyalty; wherefore the Oath of Allegiance binds *semper, & ad semper*, and admits of no Intermision, or Interception. The King never ceases to be a King till he ceases to be a Man; and it is a contradiction *in terminis*, that the next Heir, should be at the same time King: For if he be actually King, he is no Heir; and while he is an Heir, he is no King.

(*Pag. 11.*)

(*Pag. 11.*) For all your new fangled Interpretation of that Maxim — *The King can do no Wrong* ; it is to be understood of the King's Person, not his Power, in your Sense for his Power, even in his Ministers, may possibly do amiss ; but this is not to be imputed to, or exacted of his Person, but his Instruments, whose fault it is, if he be not better advised.

(*Pag. 12.*) As for the Presidents of *Edward II.* and *Richard II.* 'tis too long to examine their Histories : But, let me offer in general, that never any King of *England* was Judged in Parliament for their *Male Administration*, in Quiet and Sedate Times, but always soon after some great Commotions or Rebellions. And would you bring the Acts of the *Rump*, or those at the latter end of King *Charles I.* Reign, for Presidents of Law, especially against a King ?

For the Judgments of *Edward II.* and *Richard II.* whether they were ever revoked or not, by the succeeding Kings, is a Question ; but this is certain, that some of the Conspirators against *Edward II.* were in the 4th. of *Edward III.* adjudged and attainted in Parliament, although the King was but a Child. And as to that against *Richard II.* it was given in the First Parliament of *Henry IV.* whose Son, and Son's Son, reigned after him, and was the Foundation of their Usurping Titles, and so could not be for their Honour or Interest to have them set aside. And besides, *Edward IV.* who succeeded that Line, claimed from *Edward III.* and not from *Richard II.* he leaving no Issue, whose business it might have been, more properly, to have seen the Judgments against his Father abrogated.

Besides, notwithstanding that, *Richard II.* was Murdered so Inhumanly, yet he was several times set up, by the People, against *Henry IV.* which shews what Opinion they had of that Scandalous Judgment.

But for that against *Charles I.* which was much of the same Nature, all the proceedings against that Unfortunate Prince were, by Act of Parliament, ordered to be taken off the File, Erased, and (if I am not mistaken) ordered to be burnt by the Common Hang-man ; and the Persons concerned, by Parliament, Attainted, and most of them Executed. Besides, considering

considering the distance of time between *Richard II.* and *Edward IV.* which was 60 Years probably erasing them would not quit Cost, nor be *tanti*, in comparison of the Smoak and Purther those Agitations might raise, between King and People; to prevent which, the Wisdom of those latter Definitions (you speak of) is Conspicuous, and has been Successfull to the Peace and Welfare of the Kingdom.

But our Author in this matter, (as well as to the Right of a Husband, who Marries the Heiress of the Kingdom of *England*,) shews his little Reading in the Laws and Statutes of this Kingdom: For if he had any, he would have remembered what the Parliament, by an Established Law has declared, after giving a History of the Proceedings against King *Charles I.*

**That by the undoubted and fundamen-^{12 Car. 2.}
tal Laws of this Kingdom, neither the^{cap. 30.}
Peers of this Realm, nor the Com=
mons, nor both together, in Parliament
or out of Parliament, or the People col=
lectively or representatively, nor any other
Person whatever, ever had, have, hath, or
ought to have, any Coercive Power over
the Persons of the Kings of this Realm,**
which is, I hope, a full Abrogation or Declaration of the Illegality of those Judgments of *Edward II.* and *Richard II.* with a Witness.

The Convention, which you call the Representative of the Kingdom, having such an Honour and Deference to the Prince, it is to be hoped, they will concur with his Highness, in laying the blame on the *Evil Counsellors* rather than on the Sacred Person (which you acknowledge so) of the King, his Father, and Uncle, and great Obliger.

As to the calling his Majesty's Honour in question, he has born a great deal of that already: In Gods Name; If another Mother, Father, Nurse, Midwife, Servants, will come in,

in, and confess all, with due credible Circumstances, (outweighing the Depositions upon Oath, of so many Protestants, and others) let them come forth and be heard; and that with all safety, till the Truth be out. *Let us try all things, and hold fast that which is good*; and let Truth never fear the Frowns of any Imposture, how great and powerfull soever. This, I conceive, is the *Cardo Controversæ*; and, I hope, we may with his Majesty's Affairs, and all his Royal Family, may thrive and prosper according to the Merit of that great Cause.

(Pag. 13.) The 10th. Paragraph is wholly spent in throwing down the imaginary Treaty with the King; and the Arguments are so strong against any indecent Proposal that I cannot answer them; neither is it the Interest of the Cause, if I could.

(Pag. 14. Parag. 11.) There my Author contends, That *this Nation is a Protestant Kingdom incompatible with Popery, or a Popish King*, witnesses the Exclusioners—— You know it was compatible before the Reformation; and you ought to know, That Dominion is not founded in Grace: Neither do the Temporal Rights of Princes depend upon Religion, whether true or false. The Power of the Magistrate is never the more from God, because he is a good Man; and never the less from God, because he is a bad Man: To this purpose is that of St. *Augustine*, in his Fifth Book *de Civitate Dei*, — *Qui Augusto ipse & Neroni, &c. Qui Constantino Christiano, ipse Apostata Juliano, &c.* He that gave the Sovereign Power to Augustus, gave it likewise to Nero; and he that conferred it upon Constantine a Christian, bestowed it in like manner upon Julian an Apostate.

(Pag. 15.) As for the King's Friends, I dare say you, Sir, are none of them; and they know how to construe his Absence from them, without your invidious suggestion of his abandoning them. True Friendship, much less steady Loyalty, will never think ill of a Prince in such Circumstances; who has done so much good, and so little deserved any ill Usage from his Subjects. As for the disbanding the Army, What danger was there of their turning *Banditti*, when there was such a
potent

potent and successful Prince, and power to suppress them? And the event shews this suggestion to have been meer Malice. "Upon all this, *Is it Natural?* I say it is *Unnatural* to declare the Throne void, which the Law looks upon as Impossible; no, not upon the Death of a King, who in Law never dies; insomuch that it never admits of an *Interregnum*, much less vacancy for another Candidate. "That the King therefore has fallen from all Right to the Throne, is a Chimæra, and Figment of this Authors Brain, proceeding from a *vacuum*, or vacancy, never known, or understood, or read of before.

As to the King's return from *Feverham*. — Doubtless had he thought himself in Safe and Honorable Circumstances, he had stay'd; and, then there would have been no want of the Seals, or a Parliament, or any other Concession, that was fit for a good King to grant, to make his People happy; which they can never be, *Without rendering to Cæsar the Things that are Cæsars*; and acknowledging the Lords Anointed, to be their only Lawful Sovereign during his Life.

(Pag. 16. line 3. Errata.) Instead of *Unbounded*, read *Legal*, or *Scriptural*, or *Primitive Loyalty*; which is as much as the King, or our Clergy call for.

To Conclude, Your *Flurys* and Dawbing, can never alter the Steady Principles of the Reverend and Learned Clergy, who have declared themselves abundantly, ever since the Reformation, in behalf of the Crown, and in Favour of entire Loyalty: And it is not Nature (as you say) they must Conquer, but Scripture and Reason, Primitive and Establish'd Authority, their own great Learning, and their well regulated Consciences; if they ever depart from the Glory of the Church of *Englands* Loyalty, which they have so Nobly, so Faithfully, and so Dutifully Asserted and Propagated, as a most Evident and Fundamental Truth.

POSTSCRIPT.

Since I wrot this I heard some ask at a Bookseller's Shop for Dr. Burnet's Enquiry after Allegiance, &c. and therefore to do the Doctor Right, I have added some of his own Words transcribed out of Two of his Sermons.

[Pag. 30.] — *David*, his going out with the Armies of the *Philistines*, and professing a great desire to fight against the Enemies of *Achish*, who were no other but *Saul* his natural Liege-Lord, and the Armies of *Israel*, (wherein he acted a very unsincere part, or did really resolve to have engaged against them) are things so manifestly contrary

Dr. G. Burn. Sermon on 2 Sam. 2. 12. preached Jan. 30. 1674.

trary to the Laws of God; that they give a strong Presumption, that the whole business of his taking Arms, was contrary to Law, and Religion.

Pag. 33.] May not one be said to kill the King, that robbed him of his Revenue, Power, and Authority, and every thing that was necessary for the maintenance of the Royal Dignity?

Dr. Burn. *Sermon, on*
Rom. 13. 5. 1674.

Pag. 17.] There is a Tribunal set up by God for the Magistrate in all our Breasts, which will pass Sentence severely, and will not be put off by the Tricks of Law, &c.

* Pag. 20.] The Higher Powers being deputed by God must indeed render him a severe account, but not to others; we are therefore to obey them for the Lord's sake. 1 Pet. 2. 13.

Pag. 26.] Christ did in the plainest Style was possible condemn all practising against Government upon pretence of Religion, by saying, *My Kingdom is not of this World*, &c. Job. 18. 36. This does so expressly discharge all Bussing and Fighting on the pretence of Religion, that we must either set up another Gospel, or utterly reject what is so formally condemned by the Author of this we profess to believe.

Pag. 31.] Though after that the Emperors turned Christian, and Established the Faith by Law; yet neither did the subtil attempts of *Julian the Apostate*, nor the open Persecutions of some *Arrian* Emperors, who did with great violence Prosecute the Orthodox, occasion any Seditious Combinations against Authority.

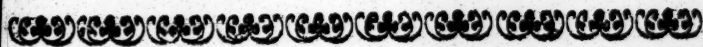
Pag. 34.] They are without more Ceremony of Words *Trazors*, who subject Our Sovereign's Rights which he derives from God only, to a *Foreign* Superior Power, &c.

Pag. 36.] The Dr. taxes also those who pretend a great heat against *Rome*, and value themselves on their Abhorring all the Doctrines and Practices of that Church; and yet have carried along with them, one of their most Pestiferous Opinions, pretending *Reformation*, when they would bring all under Confusion; and vouching the Cause and Work of God, when they were destroying that Authority he had set up, and opposing those Impowred by him. And the more Piety and Devotion such daring Pretenders put on, it still brings the greater Stain and Imputation on Religion, as if it gave a Patrocinio to those Practices, it so plainly Condemns. This is, *Judas-like*, to kiss our Master when we betray him; and to own a Zeal for Religion, when we engage in courses that disgrace and destroy it. But blessed be God, our Church hates, and condemns this Doctrine, from what Hand soever it come; and hath Established the Rights and Authority of Princes, on sure and unalterable Foundations; enjoyning an entire Obedience to all the Lawful Commands of Authority, and an absolute Submission to that Supreme Power God hath put into our Sovereign's Hands. This Doctrine we justly Glory in; and if any that had their Baptism and Education in our Church, have turned Renegades from this, they proved no less Enemies to the Church her self, than to the Civil Authority: So that their Apostacy leaves no blame on our Church, &c.

This is enough to clear the Doctors Reputation, and moreover to Enstille it — Dr. Burnet's Answer to the Enquiry about Allegiance.



F I N I S.



THE
CASE of ALLEGIANCE
CONSIDER'D.

